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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 NORMAN GERALD DANIELS III,

12 Plaintiff,

13 vs.

14 A. BAER, et al.,

15 Defendants.
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1:19-cv-01801-GSA-PC

**ORDER GRANTING REQUEST
FOR SCREENING ORDER**

**ORDER GRANTING EXTENSION
OF TIME TO FILE RESPONSE TO
COMPLAINT**

(ECF No. 1.)

17 This is a civil action filed by Norman Gerald Daniels III (“Plaintiff”), a state prisoner
18 proceeding *pro se*. This action was initiated by civil complaint filed by Plaintiff in the Kings
19 County Superior Court on August 19, 2019 (Case #19CV-0717). On December 23, 2019,
20 defendants Baer, Martin, Melina, and Smith (“Defendants”) removed the case to federal court by
21 filing a Notice of Removal of Action pursuant to 28 U.S.C. § 1441. (ECF No. 1.) In the Notice
22 of Removal, Defendants requested the court to screen Plaintiff’s complaint under 28 U.S.C. §
23 1915A, and grant Defendants an extension of time in which to file a responsive pleading. (*Id.*)

24 The Court is required to screen complaints in civil actions in which a prisoner seeks
25 redress from a governmental entity or officer or employee of a governmental entity. 28 U.S.C.
26 § 1915A(a). Plaintiff’s complaint alleges that Defendants, employees of the California
27 Department of Corrections and Rehabilitation (CDCR) at the California Substance Abuse
28 Treatment Facility and State Prison in Corcoran, California, subjected him to cruel and unusual

1 punishment, violated his rights to due process, and conspired against him to violate his rights
2 under the First Amendment. Because Plaintiff is a prisoner and Defendants were employees of
3 the CDCR at a state prison when the alleged events occurred, the court is required to screen the
4 complaint. Therefore, Defendants' request for the Court to screen the complaint shall be granted.
5 In addition, good cause appearing, the request for extension of time shall also be granted.

6 Based on the foregoing, IT IS HEREBY ORDERED that:

- 7 1. Defendants' request for the Court to screen the complaint under 28 U.S.C. §
8 1915A(a) is GRANTED, and the court shall issue a screening order in due time;
9 and
- 10 2. Defendants are GRANTED an extension of time until thirty days from the date of
11 service of the Court's screening order in which to file a response to the complaint.

12 IT IS SO ORDERED.

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14 Dated: February 7, 2020

/s/ Gary S. Austin
15 UNITED STATES MAGISTRATE JUDGE
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